

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

BRENDA COMEAU, and
KENDRA LARKIN,
Plaintiffs

v.

O'CHARLEY'S, INC., and
99 RESTAURANTS, LLC,
Defendants

CIVIL ACTION NO. 05-11088 JLT

CERTIFICATION UNDER LOCAL RULE 16.1(D)

Pursuant to Local Rule 16.1(D), Plaintiffs and their counsel hereby certify that they have conferred: (a) with a view to establishing a budget for the costs of conducting the full course, and various alternative courses, of this litigation; and (b) to consider the resolution of this litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.

O'CHARLEY'S, INC. and
99 RESTAURANTS, LLC

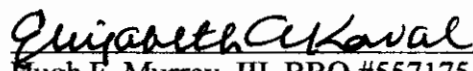
By: 

Robert Luz, Vice President
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DATED: 10/3/05, 2005

O'CHARLEY'S, INC. and
99 RESTAURANTS, LLC

By its attorneys,


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